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DT09 Rec'd PCT/PTO 02 SEP 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : TO BE ASSIGNED, WHICH IS A NATIONAL STAGE APPLICATION OF PCT  
APPLICATION NO. PCT/AU03/000281, FILED MARCH 10, 2003  
Applicant : DALY ET AL.  
Filed : CONCURRENTLY HERewith  
Title : A COCHLEAR IMPLANT  
  
Art Unit : TO BE ASSIGNED  
Examiner : TO BE ASSIGNED  
  
Atty Docket No. : COCH-0080-US1

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.51(b), 1.56, 1.97 and 1.98, this Information Disclosure Statement is submitted in the above-identified patent application. A listing of documents to be published on the face of any patent granted from this application is submitted herewith on Form PTO-1449. Any other documents or information submitted for consideration by the Examiner are listed in this paper. A copy of each foreign patent, or each publication or portion thereof listed or herein identified, is submitted herewith, except that a copy of any U.S. patent application identified herein or any patent, publication or other information listed herein cited or submitted in a prior application relied upon for an earlier filing date under 35 U.S.C. § 120 and identified below, is not submitted herewith.

**CERTIFICATION**

This Information Disclosure Statement is submitted within three months of (i) the filing date of the above-identified U.S. National Patent application, or (ii) the date of entry into the U.S. National Stage of the above-identified International Application, or (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, or (iv) before the first office action on the merits, whichever applies.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. §§ 1.16 and 1.17 or credit any overpayment to **Deposit Account Number 10-0233-COCH-0080-US1**.

Serial No.: To be Assigned

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The Examiner is requested to acknowledge consideration of the information provided in this paper in accordance with prescribed procedures.

Respectfully submitted,



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September 1, 2004

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<b>Form PTO 1449</b>  U.S. Department of Commerce Patent and Trademark Office  Information Disclosure Statement by Applicant	ATT. DOCKET NUMBER <b>COCH-0080-US1</b>	SERIAL NUMBER To Be Assigned a National Application of PCT No. <b>10/2506331</b> PCT/AU03/00281, filed March 10, 2003
	APPLICANT <b>Daly, et al.</b>	
	FILING DATE <b>Concurrently Herewith</b>	GROUP

## U.S. Patent Documents

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6246911	Jun. 12, 2001	Seligman			
		6178353	Jan. 23, 2001	Griffith, et. al.			

## Foreign Patent Documents

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED	
EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant		